

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT  
1300 OAK STREET  
KANSAS CITY, MISSOURI 64106**

**DIVISION 1**

**REX GABBERT, PRESIDING JUDGE  
THOMAS H. NEWTON, JUDGE  
ALOK AHUJA, JUDGE**

**DIVISION 2**

**KAREN KING MITCHELL, PRESIDING JUDGE  
CYNTHIA MARTIN, JUDGE  
GARY DEAN WITT, JUDGE**

**DIVISION 3**

**VICTOR C. HOWARD, PRESIDING JUDGE  
LISA WHITE HARDWICK, JUDGE  
JAMES E. WELSH, JUDGE**

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**SPECIAL DIVISION (SITTING AT CAMDEN ON THE LAKE)  
IN CONJUNCTION WITH THE MID-AMERICA LABOR/MANAGEMENT CONFERENCE**

**MARK D. PFEIFFER, CHIEF JUDGE, PRESIDING  
GARY D. WITT, JUDGE  
REX GABBERT, JUDGE**

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**SPECIAL DIVISION (SITTING AT TAN-TAR-A RESORT, OSAGE BEACH, MO IN  
CONJUNCTION WITH THE ANNUAL MEETING OF THE MISSOURI ASSOC. OF CRIMINAL  
DEFENSE LAWYERS**

**ZEL FISCHER, SPECIAL JUDGE, PRESIDING  
MARK D. PFEIFFER, CHIEF JUDGE  
GARY D. WITT, JUDGE**

**ORAL ARGUMENT DOCKET - JULY, 2016**

**NOTICE TO COUNSEL**

Enclosed is a copy of the Court's docket scheduling your case for argument. Please review this docket and the following information carefully. Please note the information below for each division:

***DIVISION 1: THIS DIVISION WILL SIT ON JULY 14<sup>TH</sup> AND 27<sup>TH</sup>, 2016 WITH DOCKET  
CALLS AT 9:00 A.M. AND 10:30 A.M.***

***DIVISION 2: THIS DIVISION WILL SIT ON JULY 13, 2016 WITH DOCKET CALLS AT 9:00  
AND 10:30 A.M.***

***DIVISION 3: THIS DIVISION WILL SIT ON JULY 6<sup>TH</sup> AND 20<sup>TH</sup>, 2016, WITH DOCKET CALLS BOTH DAYS AT 9:00 AND 10:30 A.M.***

***SPECIAL DIVISION: THIS DIVISION WILL SIT ON JULY 11, 2016 AT CAMDEN ON THE LAKE, LAKE OZARK, MO IN CONJUNCTION WITH THE MID-AMERICA LABOR MANAGEMENT CONFERENCE. DOCKET CALL WILL BE AT 1:30 P.M. IT WILL ALSO SIT ON JULY 22, 2016 AT TAN-TAR-A RESORT, OSAGE BEACH, MO IN CONJUNCTION WITH THE ANNUAL MEETING OF THE MISSOURI ASSOCIATION OF CRIMINAL DEFENSE LAWYERS. DOCKET CALL WILL BE AT 1:15 P.M.***

If you are not present for the docket call, your case will be submitted on the briefs. If you do not intend to orally argue a docketed case (whether the appellant or respondent), please notify this office immediately of that decision. Any respondent who has not filed a brief will not be permitted oral argument.

**PLEASE NOTE THE FOLLOWING CHANGE IN ARGUMENT TIMES:**

**In most cases, counsel will be allowed a maximum of 10 minutes per side with an additional three minutes for rebuttal by the appellant. In cases designated as “expanded oral argument” preceded and followed by three asterisks, argument will be expanded to 15 minutes per side with an additional five minutes allowed for rebuttal by the appellant.**

The Court may call upon counsel to announce the amount of time they intend to use when the docket is called. Please keep in mind that the judges on the panel will be familiar with the briefs. The Court views oral argument as an opportunity to focus on the points of difficult analysis rather than a forum to verbally rehash the entire brief. Therefore, the Court expects counsel to tailor their requests for time accordingly. Counsel should also remember that they are not required to use the total time reserved.

Cross appeals shall be treated as one case, and in such cases the plaintiff in the trial court shall be entitled to open and close the argument. **If there are multiple appellants or respondents, the parties will ordinarily be expected to divide among themselves the time allowed for an appellant or respondent.**

**Original exhibits shall be deposited with the court on or before the date on which the parties file their opening briefs unless the court grants permission to submit them at a later time. Any exhibits not timely deposited may be considered by the court as immaterial to the issues on appeal. Rule 81.16. Unless deposited exhibits are removed from the custody of the clerk within 30 days after the case is finally decided, upon prior notice to the parties, they may be destroyed or disposed of by the clerk. Rule 81.16(d).**

Opinions are issued each Tuesday morning. Motions for rehearing and/or transfer to the Supreme Court must be filed within fifteen (15) days after the opinion has been issued.

If you have any questions concerning the docket, please contact this office at 816-889-3600. If you have special needs addressed by the Americans with Disabilities Act, please notify this office at least one week prior to the date of oral argument.

Terence G. Lord, Clerk

**SPECIAL DIVISION**

**ZEL FISCHER, SPECIAL JUDGE, PRESIDING**

**MARK PFEIFFER, CHIEF JUDGE**

**GARY DEAN WITT, JUDGE**

**JULY, 2016**

<p><b>IMPORTANT NOTE</b></p>
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**THIS DIVISION WILL SIT ON JULY 22, 2016 AT TAN-TAR-A  
RESORT, OSAGE BEACH, MO IN CONJUNCTION WITH THE  
ANNUAL MEETING OF THE MISSOURI ASSOCIATION OF  
CRIMINAL DEFENSE LAWYERS. DOCKET CALL WILL BE AT  
1:15 P.M.**

# MEMO

To: All attorneys on the July 22, 2016 docket at Tan-Tar-A resort

FROM: Kathy St.John, Deputy Clerk

SUBJECT: Directions/Location to your argument

We will be holding arguments at the Tan-Tar-A resort. These arguments are being held in conjunction with the Missouri Association of Criminal Defense Lawyers on July 22<sup>nd</sup> at 1:15 p.m. Here is a link to the resort's website which has excellent directions for getting there:

<http://www.tan-tar-a.com/map-directions?fullhtml=n>

If you have any questions about the exact location of arguments, please contact Terence Lord, Clerk of the Court, who will be able to answer any questions you may have. His e-mail address is [tlord@courts.mo.gov](mailto:tlord@courts.mo.gov)

Thank you, and we look forward to seeing you at arguments on the 11<sup>th</sup>.

**MISSOURI JUDICIARY  
WESTERN DISTRICT CT OF APPEALS**

**Docket**

**22-Jul-2016 13:15**

**SPECIAL DIVISION**

**Tan-Tar-A**

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**1. WD78391** JACKSON COUNTY CIRCUIT COURT

**STATE OF MISSOURI, RESPONDENT,  
vs  
LESLIE M BAKER, APPELLANT.**

LESLIE MITCHELL BAKER, Appellant  
DONALD WAYNE PETTY  
STATE OF MISSOURI, Respondent  
EVAN JOSEPH BUCHHEIM

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**2. WD78695** JACKSON COUNTY CIRCUIT COURT

**STATE OF MISSOURI, APPELLANT,  
vs  
JOHN THOMAS LARSEN, RESPONDENT.**

STATE OF MISSOURI, Appellant  
DEVIN MERRICK LEDOM  
JOHN THOMAS LARSEN, Respondent  
DANIEL CHRISTIAN MILLER

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**3. WD78732** JACKSON COUNTY CIRCUIT COURT

**STATE OF MISSOURI, RESPONDENT,  
vs  
SIDNEY L CLARK III, APPELLANT.**

SIDNEY CLARK III, Appellant  
JEANNIE MARIE WILLIBEY  
STATE OF MISSOURI, Respondent  
GREGORY L. BARNES

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